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July 9, 2009

Ms. Abbot Stevenson  
Environmental Engineer  
Permits and Enforcement Section  
Division of Surface Water  
Ohio Environmental Protection Agency  
Southeast District Office  
2195 Front Street  
Logan, OH 43138

Dear Abbot:

We received an email about Nitrogen Ammonia and CBOD exceedances (Outfall 002) during May, 2009 recently. Please be advised that we cleaned sludge from the plant during May, and that when working on the plant, we found a problem with the airflow to the sewage treatment plant. The problem was corrected, and we have had no further exceedances. As you know, this outfall is an internal outfall, with the water reporting to Pond 10 and then to No. 2 Dam.

In response to your letter of July 7, 2009 relative to an exceedance in January, 2009, our original response to the notice was as follows:

*The report also shows high suspended solids for No. 2 Dam. This occurred late in January. This occurred when the winds were high and has not occurred since or before. Usually, when the winds are high and the water is stirred up, we try not to discharge. This practice will continue.*

Please be advised that prior to the sampling on January 28, 2009, we received 1.53 inches of rainfall (January 25-28). The pumps at the impoundment are equipped with a turbidity monitor. Normally, the monitor alerts us with a visible alarm when the suspended solids at the pump reach 35 mg/l. This monitor was not operating at the time. It has since been repaired.

Furthermore, in response to your letter of July 7, 2009 relative to an exceedance in February, 2009, our original response to the notice was as follows:

*Abbot, We received the attached email today. Please be advised that I omitted the pH from the No. 6 STP (Outfall 002) and will revise that report today. In addition, Outfall 011 only flowed on two days during February. We sampled one day and the Manganese was 2.8 mg/l. There was no opportunity to lower the monthly average. I'm told that the water in the pond is within compliance at this time so if it flows again, we'll be ok. Since the pond only flowed on two days, and our permit requires us to sample once every two weeks when flowing, we were in compliance,*

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contrary to the report. If you have any questions, please contact me.

Pond 7 (Outfall 011) controls the drainage near our train loadout. The discharge pipe for this pond has been moved further south away from the pond inlet to allow more retention time in the pond. The outlet location of this pipe did not change. We have had no further exceedances.

Finally, please be advised that all correspondence for The Ohio Valley Coal Company should be addressed to Mr. Paul Piccolini, Vice-President, not to Mr. Murray. I would appreciate receiving a copy of this correspondence, as usual.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

A handwritten signature in black ink, appearing to read "David L. Bartsch". The signature is fluid and cursive, with a large, stylized initial 'D'.

David L. Bartsch, P.E.  
Environmental Coordinator and  
Permit Administrator

cc: F. Wood  
P. Piccolini  
File